



94TH GENERAL ASSEMBLY

State of Illinois

2005 and 2006

HB5794

Introduced 07/18/06, by Rep. Monique D. Davis

SYNOPSIS AS INTRODUCED:

New Act

Creates the Licensed Health Care Worker Patient Confidentiality Act. Provides that a health care worker shall refrain from disclosing to any unauthorized party any patient information deemed personal or confidential by federal or State law or by rule of the Department of Financial and Professional Regulation, including without limitation the nature or details of services provided to patients. Provides that any violation of any provision of the Act shall serve as grounds for disciplinary action concerning the worker's license, certificate, or certificate of registration and that a civil penalty shall be imposed upon any licensed, certified, or registered health care worker found to be in violation of any provision of the Act. Grants rulemaking authority to the Department.

LRB094 20696 RAS 59011 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning regulation.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 1. Short title. This Act may be cited as the
5 Licensed Health Care Worker Patient Confidentiality Act.

6 Section 5. Definitions. In this Act:

7 "Department" means the Department of Financial and
8 Professional Regulation.

9 "Health care worker" means any individual licensed,
10 certified, or registered under the laws of this State to
11 provide, on an inpatient or outpatient basis, preventive,
12 diagnostic, convalescent, rehabilitation, mental health, or
13 therapeutic health care services. "Health care worker"
14 includes any individual employed by a general or special
15 hospital, skilled nursing home, extended care facility,
16 intermediate care facility, or mental health center who
17 provides health care services for which licensure,
18 certification, or registration is required under the laws of
19 this State and who possesses such license, certificate, or
20 certificate of registration.

21 Section 10. Patient confidentiality required.

22 (a) For the purposes of this Section, "authorized party"
23 includes the patient, the party making treatment decisions if
24 the patient is incapable of making decisions regarding the
25 health services provided, those parties directly involved with
26 providing treatment to the patient or processing the payment
27 for that treatment, those parties responsible for peer review,
28 utilization review, and quality assurance, and those parties
29 required to be notified under the Abused and Neglected Child
30 Reporting Act, the Illinois Sexually Transmissible Disease
31 Control Act, or where otherwise authorized or required by law.

1 (b) A health care worker shall refrain from disclosing to
2 any unauthorized party any patient information deemed personal
3 or confidential by federal or State law or by Department rule,
4 including without limitation the nature or details of services
5 provided to patients.

6 Section 15. Violations; administrative penalty.

7 (a) Any violation of any provision of this Act by a health
8 care worker shall serve as grounds for disciplinary action
9 concerning the worker's license, certificate, or certificate
10 of registration.

11 (b) A civil penalty of an amount determined by the
12 Department shall be imposed upon any health care worker found
13 to be in violation of any provision of this Act.

14 Section 20. Rulemaking. The Department shall adopt all
15 rules necessary for the implementation and administration of
16 this Act.